

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
KENNETH E. WELKER *ET AL.*

Serial No.: 10/597,227

Filed: July 17, 2006

For: SEISMIC CABLE POSITIONING USING
COUPLED INERTIAL SYSTEM UNITS

Group Art Unit: 3663

Confirmation No.: 7982

Examiner: Krystine E. Breirer

Atty. Dkt. No.: 2088.003300

Client Docket: 14.0250-PCT-US

Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**PETITION TO REVIVE UNINTENTIONALLY
ABANDONED PATENT APPLICATION**

Applicants petition for the revival of the above-captioned application. A petition fee in the amount of \$1620 is enclosed pursuant to 37 C.F.R. § 1.17(m) to pay the cost of this petition. The entire delay associated with the abandonment of this application was unintentional. Since this application was filed after June 8, 1995, no terminal disclaimer is required. The conditions surrounding the abandonment are as follows:

A final Office Action was mailed **December 29, 2009** for the above-referenced application. The Office Action set forth a statutory period for response of **March 29, 2010**. The response was electronically filed on **June 22, 2010** together with a petition for a three-month extension of time and the requisite extension fees were paid. On July 7, 2010 an Advisory Action was mailed stating that the reply filed 22 June 2010 failed to place this application in condition for allowance and to avoid abandonment "(1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114

must be filed within ... 3 months from the mailing date of the final rejection." Unfortunately the date had already expired and no further extensions of time were available.

It is submitted that the delay in filing the accompanying Notice of Appeal and Pre-Appeal Brief Request for Review was unintentional.

Applicants respectfully request that the referenced application be revived pursuant to 37 C.F.R. § 1.137, and that the accompanying Notice of Appeal and Pre-Appeal Brief Request for Review be entered.

The Commissioner is authorized to deduct the following fees from **Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2088.003300**:

1. \$1,620 - Petition to Revive
2. \$ 540 Notice of Appeal
3. Any additional fees under 37 C.F.R. §§ 1.16 to 1.21 that may be required to

revive this application.

Respectfully submitted,

Date: July 21, 2010

/Jeffrey A. Pyle/
Jeffrey A. Pyle
Reg. No. 34,904

WILLIAMS, MORGAN & AMERSON
10333 Richmond, Suite 1100
Houston, Texas 77042
(713) 934-4053
Facsimile (713) 934-7011

Attorney for Applicants